

# **Interim Maintenance and Operations Plan**

## **for the City of San José's Coyote Valley Property**

**DRAFT October 22, 2019**

### **Purpose**

The purpose of this Interim Maintenance and Operations Plan (IMOP) is to outline the interim activities conducted by the Santa Clara Valley Open Space Authority (Authority) on property owned by the City of San José (City), consisting of the former Brandenburg property, the former Fisher Flats property, and which includes the Weyhe property if transferred to the City (collectively, "Property").

The IMOP shall be consistent with the terms set forth in the Conservation Easement and with the Authority's policies including its Access and Use Regulations. Day-to-day management and operations are intended to implement the Authority's mission and specifically to align with the goals and objectives outlined in the Coyote Valley Landscape Linkage (2017), copies of which has been provided to City and POST. The IMOP, and any amendments, shall remain in effect until the Authority and the City adopt a long-term Management Plan (as provided in the Conservation Easement), at which time, such Management Plan (along with the Conservation Easement) shall govern the activities, uses, and Improvements on the Property. This IMOP may be amended with the approval of the City and Peninsula Open Space Trust (POST) to reflect the need for additional maintenance or land management activities that may arise after the Authority completes additional sites assessments and in response to changing conditions.

### **Current Conditions**

As shown on Exhibit "A", the Property lies to the north of Bailey Avenue, to the east of Santa Teresa Blvd, and is bounded on the east by Union Pacific railroad tracks and Monterey Road.

The Baseline Documentation (described in the Conservation Easement) describes the current condition of the Property. The Property consists of valley floor hayfields, interspersed with areas of dense coyote brush, riparian corridor and the existing Municipal Water System (as defined in the Conservation Easement). Current land uses on the Property include dry hay farming with interspersed fallowed areas. There are eight access points into the property, three along Santa Teresa Boulevard, two along Bailey Ave, one on Monterey Rd. at Emado Ave., and two at Blanchard Road. Boundary fencing is present at the access points as well as several other sections.

There are homeless encampments located adjacent to the Property near the Union Pacific railroad tracks. Only a small portion of fencing exists along the Union Pacific railroad tracks where the current encampments are located. Dumping of trash and debris occurs both in the road right-of-way and in the interior of the Property throughout the year.

The parcels are also dry farmed by an agricultural tenant.

## **Initial recommendations for maintenance and repair projects by Authority**

Following transfer of the property to the City and transfer of the Conservation Easement to the Authority, the Authority will begin planning and implementing minor maintenance and repair projects. These activities must comply with applicable laws, and are intended to protect the Property's conservation values without impairing the City's Municipal Water System and maintenance operations as provided in the Conservation Easement, including the ability to operate related wells, relocate such wells if permitted under the Conservation Easement, replace existing facilities and potentially add a new storm water line to Bailey Avenue if it is determined to be needed by City and Authority for well flushing. Some activities may involve use of mechanized equipment or could entail minor excavation or grading, including but not limited to for protection of natural resources and the environment, for maintenance of roads, and for public safety. These projects, as well as site safety patrol, potential minor habitat enhancement projects, and on-going agricultural activities, will require use of off-road vehicles such as ATVs, tractors, and light duty trucks, for example.

Initial maintenance and repair projects include:

- Inspect all trees not located within any right-of-way for streets, sidewalks, or landscaping for recommended pruning / tree removal.
- Remove existing piles of vegetative debris located on the Property and outside of any right-of-way along Bailey Avenue and Santa Teresa Blvd.
- Install "No Trespassing" signs along all Property boundaries.
- Evaluate and install gates and fencing as required for site security and public safety, but without adversely affecting access to the Municipal Water System.
  - Install security fencing around any residences and structures
  - Identify other locations where fencing or gates may be warranted to reduce illegal trespass, dumping, and encampments.
  - Ensure that all fencing plans address management goals related to protection and enhancement of wildlife habitat connectivity, and coordinate with resource management staff at POST to identify and resolve potential issues.
- Install Property information signs and ownership signs, subject to City's prior written approval.
- Inspect monument walls. Remove all young sprouted eucalyptus trees in front of monument wall.
- Conduct thorough Property walkthrough and document the condition of the Property and provide such documentation to City.

This list will be updated by City and the Authority following detailed site inspections and will be reviewed and revised as necessary by the City and the Authority on an annual basis, consistent with the Conservation Easement over the Property.

## Interim on-going maintenance activities by Authority

In addition to the one-time maintenance and repair projects described above, the Authority will implement a variety of on-going management, maintenance, and monitoring activities, consistent with the Conservation Easement, as detailed below.

- Task A: Site Security
  - A1. Site Security
    - Patrol Property (anticipated two times per week with frequency adjusted as needed), which includes boundary inspection, gate inspection, sign inspection, and inspection of areas that have been identified as possible locations for trespass, illegal dumping, and encampment activity
  - A2. Illegal Dumping
    - Report any illegal dumping within the Property to City
  - A3. Trash Removal
    - Remove all other incidental trash on the Property associated with public access to the Property provided by the Authority
  - A4. Trespass
    - Report all incidences of trespass to City
  - A5. Graffiti Removal
    - Identify and remove graffiti outside of any public rights-of-way, as needed
- Task B: Invasive Plant/Animal Management
  - B1. Non-native and/or invasive plant removal:
    - Identify and prioritize treatment of non-native and/or invasive plant populations
    - Apply Integrated Pest Management techniques to treat areas to reduce / eliminate populations of non-native and/or invasive plants. Control activities will be seasonal in nature and occur when the plant phenology is at ideal stages based on the control mechanism being used
    - Restore treated areas using native plant materials
  - B2. Non-native animals/pests
    - Identify and prioritize removal of non-native nuisance animals/pests
    - Apply Integrated Pest Management techniques
- Task C: Fire Management
  - C1. Perform fuels management activities, including vegetation management, removal of trash and debris and other activities to reduce the risk of wildfire
    - Control vegetation along the periphery of the Property outside of any public rights-of-way for streets, sidewalks, and landscaping to create a fuel break

- Remove areas of duff and vegetative debris along periphery of Property outside of any rights-of-way for streets, sidewalks, and landscaping
      - Remove piles of vegetation
    - C2. Coordinate activities with San Jose Fire Department and CalFire
      - Ensure management techniques are compatible with regional plans
- Task D: Fence / Gate Repair
  - D1. Inspect all fences and gates
  - D2. Repair existing fences and gates, as needed, including but not limited to, the replacement of damaged sections of fence, painting of gates, repair / replace signage, and installation of new sections of fence to discourage trespass, illegal dumping, and homeless encampments
- Task E: Signage
  - E1. Inspect all signage
  - E2. Repair and replace any damaged signage found while on the Property, as needed
- Task F: Wells
  - F1. Inspect and maintain, if necessary, agricultural and monitoring wells annually
  - F2. Abandon any wells, if necessary (excluding wells relating to the Municipal Water System)
- Task G: Tree Inspection / Care
  - G1. Trees not located within any public right-of-way for streets, sidewalks, or landscaping
    - Inspect all trees not located within any right-of-way for streets, sidewalks, or landscaping and prune / remove as appropriate
- Task H: Public Access
  - H1. Develop docent-led public access events
  - H2. Establish limited parking areas to support public access events in coordination with City and POST
  - H3. Carry out docent-led public access programs
- Task I: Agricultural Use
  - I1. Manage existing agricultural tenant's lease in the event that such lease is not terminated upon following City's acquisition of the Property
  - I2. Work with City and POST to identify appropriate interim agricultural uses and locations
  - I3. Manage lease among City, Authority, and the agricultural tenant in accordance with the terms of the applicable lease in the event that such lease is entered into upon the

City's acquisition of the Property ("Agricultural Lease"). Lease payments paid to Authority under the Agricultural Lease will be expended by Authority on costs related to management of the Property

- I4. Maintain and install water troughs, irrigation, and other facilities necessary to continue current agricultural use in coordination with tenant
- I5. Work with agricultural tenant to identify appropriate measures to deter nuisance animals and plants from agricultural zones
  
- Task J: Interior road maintenance
  - J1. Inspect all interior roads (defined as all roads that are *not* streets on the periphery of the property within any public rights-of-way) and associated infrastructure such as culverts, ditches, bridges, etc., annually
  - J2. Perform routine maintenance of interior roads and associated infrastructure
    - a. Minor road grading (including, but not limited to mowing)
    - b. Cleaning culverts
    - c. Clearing ditches
  
- Task K: Natural resource management
  - K1. Conduct resource assessments or studies (e.g. to monitor wildlife movement, habitats, groundwater, surface water, native vegetation)
  - K2. Allow studies for resource management, science, and/or environmental educational purposes
  - K3. Implement minor projects to maintain or improve existing natural resources, such as installing or maintaining bat or owl boxes

## **Maintenance and Repair by City**

- City will demolish the following residential structures:
  - House on Blanchard Rd. on APN 708-25-002
  - Two houses on Emado Ave on APN 708-27-001
- City will continue performing ongoing maintenance of the Municipal Water System
  - In coordination with the Authority, City will continue to release water from the Municipal Water System wells onto the adjacent land to flush wells as needed for maintenance purposes ("well flushing").
  - City and Authority will work together to evaluate other options to well flushing for the release of water from the Municipal Water System wells for maintenance purposes that would be compatible with current and future uses on the Property, including but not limited to the potential addition of a storm drain line, or the potential addition of a drainage ditch.
  - Based on the evaluation by City and Authority described above, City may continue to flush water over adjacent land for maintenance of the Municipal Water System wells or

implement minor projects to redirect well flushing water to the closest storm drain system

## Notices/Communications

City, POST and the Authority shall send notices to one another in writing in accordance with the notice provisions of the Conservation Easement.

The following will serve as the contact for routine matters related to Property management:

The City's contact for matters related to dumping within the public right-of-way is:

San José Department of Environmental Services

[Name]

[Title of Contact]

Phone:

Email:

San José Department of Transportation

[Name]

[Title of Contact]

Phone:

Email:

The City's contact for matters related to the Municipal Water System is:

San José Department of Environmental Services – Municipal Water

[Name]

[Title of Contact]

Phone:

Email:

Until another department is designated by the City, the City's interim contact for matters relating to trespass and any other matters pertaining to the management of the Property is:

San José City Manager's Office

[Name]

[Title of Contact]

Phone:

Email:

The Authority's contact for matters relating to management of the Property is:

Derek Neumann

Field Operations Manager

Phone: (408) 224-7476

Email: dneumann@openspaceauthority.org

# EXHIBIT A: MAP OF PROPERTY



Data Sources: SCVOSA, SCVWD, Santa Clara County Parcels 2018, City of San Jose  
Created by Ikwong 10/27/2019

